

THE
R I T E S
OF THE
Christian Church

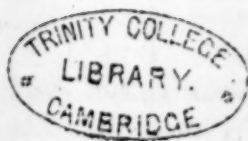
further defended,
In Answer to the Appeal
of Dr. W A K E.

With a Letter to Mr. *Hill* Rector
of *Kilmington*, on the account of
THE
Municipium Ecclesiasticum.
As also an Answer.

By *Sam. Hill* Rector of *Kilmington*.

John 18. 23. *If I have spoken evil, bear witness of the evil; but if well, why smitest thou me?*

Sold by the Booksellers of London
and *Westminster*. 1698.



A
LETTER

Written to Mr. HILL.

on the account of the

Municipium Ecclesiasticum,

With the Answer, &c.

S I R ,

T *A*king it for granted that
you are the Author of
Municipium Ecclesi-
asticum, and that you will think
your self obliged to remove those

A 3

Charges

Charges laid upon you in your Adversary's Appeal, I think fit on so ticklish a Point, to offer you some Considerations, necessary, in my Opinion, to allay the Prejudices that seem to lye against you.

For first of all, There are some that conceive you to be the Author of the Letter to a Convocation man, and therein to have thrown a needless Bone of Contention in a time of great Jealousies under the late Plot and War, with very suspicious Reflections upon the Greatest in the Government; and considering your daring Attempt not long before upon a formidable Adversary, your Enemies stick not to represent

represent you as a Man of Incendiary Humours, a Prejudice very easie to take among Strangers and Persons disaffected, especially in a soft Age dissolved into Courtship and Caresses. On which account I should with submission think it not expedient to avert those Misconstructions, by setting forth Truth under its fair and equal Reasons for the generous Undertaking, and this with your Name set to take off the Reproach of a Libel fixed on it. The part that appertains to the intrinsic Merits and Substance of the Cause, appears in the Appeal it self, which you know best how to treat; and therefore I do not pretend to advertise

vertise you thereupon ; but wishing you all Success, Reward, and Happiness for your many Pious, Hazardous, and — Labours for this poor Church, I subscribe,

New Atlant,
Feb. 24. 1697

Worthy Sir,

Yours Entirely

N. N.

The

*The Answer.**S I R,*

Since you were not pleased to let me know you, nor where to return Thanks for so endearing an Office, yet since you have given such Useful Intimations, you have fixed me in a Method how to appear on this Appeal, about which I was before very anxious and undetermined; for now I think it the most proper way for me to give you an Epistolary account of my sense in this matter; which being sent by the Press, will find you in your Secrecy, and satisfy

B fre

fic at once both you and the Impartial World against such Surmises which such an Adventure must needs draw upon it.

Know you then that we are so far from being the first starter of this controversie, that after all possible inquisitiveness we have not been able so much as to guess at him, nor are we at all concern'd in those (whether real or pretended) reflections, at which his adversaries are all so fired. And to be free with you and the world, if the passages taxed, did in truth design reproach, his own conscience ought to smite him, & will one time or other do so severely, if for nothing else, yet for the *Hypocrisie* and *false Colours*: but since his language carries in it an apparent zeal and veneration for all authorities now in being, and particularly hopes for vengeance on those that reflect upon His Majesty to create a Jealousie with his people, we think his Opponents have no warrant from any rules of justice

Justice and Charity to pronounce him a reviler so absolutely as they have done ; and if God, who searcheth the hearts, finds him to be as intentionally innocent as his words are, then these Men have brought that guilt of maledicence on themselves with which they now load him. So that herein they seem not to have considered our Saviours precepts against Censoriousness, as much as how to gratifie their own malice or ambitions. But as to what really concerns us, we are not very solicitous what partial men say of us , because no protestations in the world can inhibit their malice, and therefore in what we are accountable to God alone, to him alone will we reserve our account, being contented to leave with the world these arguments of our integrity, that though we could have laid trains of assentation in order to advancement, by avoiding all disgusting writings, and by bending our capacities to serve the present Ge-

nus in Officious Treatises and fulsome Dedications, and had prospects fair enough before us to have led us into such temptation, yet have we never stained our conscience or our pen by any such little and illiberal Artifices, but have always chosen rather to please God in the Cause of the Catholick Faith and Church against all unjust displeasures of Men, than to be sacrilegiously guilty in corrupting or betraying those Divine Principles and Constitutions: and if it be possible that any person, especially of the sacred Robe, can be offended at us for serving the Cause of Christianity at the Expence of our powers, and at the loss of all our worldly Interests, we can only recommend them to Gods mercy, and in the mean time condole the state of the Church in that there are some in her that are more concerned for her promotions than her fundamentals.

But

But though Integrity is under no such great Obligations to stand in awe of the delicate or censorious world in order to any internal comfort and satisfaction, yet that its designs may be more serviceable to the holy Ends proposed, we shall not grudge to shew what just reasons there were to oppose the Counsels and Principles of this Doctor tending so openly and violently to the ruine of the Ecclesiastical Powers and Constitutions. It is too intimately known to all considering and religious Persons, how much the rampant Advances of Heresie and new Schemes of Christian Faith created in the Church a desire of a free Convocation, to correct these Extravagancies by the methods used in such cases through all Ages. And we wish we could not say that the Interest of the Criminals hath found a party against the general appetite and benefit of the Church, inspired with a Spite from the dead against the lower

house of Convocation, not to be abated till they can hope to introduce thereinto a number and majority ready and sequacious in the execution of their purposes. In which unnatural and irreligious Project they club in with all the Atheists, Infidels and Sectaries of the Nation, a splendid Instance wherof we have in this

** Author of the Essay concerning the power of the Magistrate and Rites of Mankind in matters of Religion, in his Postscript concerning the Letter to a Convocation Man.*

Doctor, who has for Complices in this Adventure * one profligate Anti-christian Infidel, and foul-mouth reviler of the whole Church of God through all Ages, and egregiously of the Reformed Church of *England* in this last Age, in comparison with which not only his Darlings the Sectaries (his serviceable toolsto Irreligion and Scepticism) but even the Papists, (against whom however he inveighs sufficiently) nay the very Heathens are very Lambs and Saints; and another Anti-Ecclesiastical

fiastical and Anti-Academical Lawyer of the same bran, † and this discernibly enough, tho'

† *Author of the Letter to a Member of Parliament, &c.*

not so raging, but more rect and sly in his Methods of Mischief. Of this fraternity all along have been those worthy Monitors of the Convocation at their last Session, and those raging Calumniators of it that malign it ever since, because not waxen enough for some Mens Impressions. Which sawcy Treatments, if offered to the Guardians of our Civil Liberties, would have brought the Adventurers under the Zeal and Inquisition of the State, while the grand depository of Christianity is securely vilified and used as our Lord and Master, which is however the greatest honour in the sight of God, though otherwise intended by malicious and vexatious Men. And yet while open Enemies do us this dishonour, we can the better bear it, but to be betrayed

trayed up to the scorn of all our Enemies by those that eat the same bread, and drink of the same cup, is that which calls back the saddest Example of horror in this kind to our Remembrance and Resentments. All which being considered, will easily justify the *Municipium Ecclesiasticum* from the suspicion of a causeless and incendiary Undertaking. Nor can we think that even the Civil State will conceive any offence at it, since they that undermine the Authority of the Church in Spirituals, overturn the Superstructure of the Magistrates Interest in the Civil Conduct of Religion. For no Man can think that a Secular Authority has a more Interior Right in Ecclesiasticals than the Church its self, and therefore the illustrious Author of the Essay above-mentioned, has with the same hand destroyed all Civil as well as Ecclesiastical power in matters religious; which when the State shall be at
lei-

leisure to recollect, it will no doubt be jealous for its own Authority in the most important Concern, and when it shall appear that this is overturned by destroying the Foundations of the Church, what will be thought of those Church-men that have supplied these Caitiffs with Match and Powder? And if the Church shall not disclaim such Proditors of her own, how can the State think that we will be true and trusty to the Civil Rights and Liberties of the Nation, that are so negligent and prodigal of our own, and hereby at once become the publick scorn and scandal?

But if we are not to solicit the cares or sentiments of the State, as to their own Matters; yet we think we may be permitted to resent and correct the Insolencies of Clergy-men, making all possible sail to preferment by a spiteful and contemptuous Carriage toward the

supreamest powers in the Church;
 who can traduce the use, wisdom,
 and gravity of all Ec-

(1.) *Author of*
Christ. Princ.
p. 306.

(2.) *p. 317.*

(3.) *p. 307.*

clesiastical Synods in ge-
 neral, (1) by Reflections
 that will destroy as much
 the Authority of Par-
 liaments, (2) not sparing any as far
 as appears of the great *Constantines*
 Synods (3) for the sake of those
 that were corrupted purely on the
 Court Interest, which he fraudu-
 lently conceals; who in the
 times of Popery scouts the Con-
 vocations, even when opposing the
 avarice of the Pope, (4) as well as

(4.) *p. 195,*
197, 198.

(5.) *p. 205, 350*
to 356. and 298
to 303.

for asserting their im-
 munities against the King
 upon the Authority and
 Injunctions of the Pope,

(5) while yet his own
 historical Deduction ascribes the
 first Introduction of the Papal Au-
 thority to the Acts and Contri-
 vances of Kings against the Dome-
 stick Power of the Church, on
 which

which however he passes no censure,
 (6) above the bare relation of fact and an intimation of Weakness; who beside all this is more Satyrical upon the Reputation of Convocations, even now in a state of Reformation, and vast Learning, and Experience, (7) as if they were the most peevish, untractable, spiteful, imprudent and dangerous Societies to Kings and States, that can be imagined, in no wise to be trusted, but under Guards and Irons; who can when no provocation is given, not only vilify his Adversary, and even at the same time pretend a tenderness in this point, (8) but even take occasion, where none offered it self, to render the present Clergy, or a great part of them, odious, as Men quar-

(6.) p. 178, 179,

181, 182, 186,

187, 194, 195,

197, 199, 203.

(7.) p. 42, 43,

82, 112, 270,

271, 272, 297,

316, 317, 320,

325, 329, 330,

337, 343. *Ap-**peal.* p. 121.(8) *Dedi.* p. 3. 4.*Pref.* p. vij. *Book*

p. 5. p. 261, 262,

296, 304, 305,

339, 345, 346,

347. *Pref.* to*Appeal.* p. xxij.

xxiv. compared

with the whole

malicious *Book*.

relfom and barbarous (9) hypocritically perjured for the sake of their Preferment, and yet Seditious againft the Government (10) to which they have Sworn and fome affociated ; as if he were not con-

tented with the fall of thofe unhappy Clergy-men, who have funk under falfe Notions and Principles of Allegiance, but had an appetite to exalperate the Publick unto more difcriminating and more diftracting Tests in order to a more Numerous and Tragical Evacuation of Churches ; for certainly that Spite and Wickednefs of furmife againft fuch a fupposed mifchievous Party, yet remaining in the Bofom and Communion of the Church, can import no lefs ; that fo we might have an Hiftory of the Perfecution of the Church of *England* in all things conformable, or in no wife inferiour to that of

Scot-

(9) *Author of*
Princ. Pref.
p. vij. viij. Book
p. 332, 333, 334.
(10) p. 349, 355.
Dedic. to Appeal.
p. 2.

Scotland. Hence is it that this Inhumanity of Design, as well as Corruption of Principles, has exposed it self to the just scorn and detestation of the Clergy of this Kingdom, and there is no Charge in the *Municipium*, equal to the Malignity of the Project.

And having thus given you (as I think) sufficient Reasons, why such a malicious and calumnious Book should be refuted, we think little need be said for the *Municipium's* being nameless to purge it from the imputation of Libellous; For if a Book be good, that concealment cannot impeach it; if it be naught, the prefixing a Name does not so much excuse the Libel as attest and aggravate the Impudence; the Opinion of which the *Municipium* was willing to decline with those who would be sure or likely to reproach the Author with that Aspersion,

person, and if to avoid this Rock he has dashed upon the other, he must bear his Fortune as well as he can, and commit his Cause to him that judgeth righteously.

From these Provocations, come we now to the Appeal it self, to consider both the Exterieur Pretence, as well as the Interiour Weight and Substance of it, that so the Readers may be able, by easie and obvious Views, to discern its Pertinency and its Justice.

First, Then we must begin with the Pretence set forth in the Title of the Appeal, which runs thus; *An Appeal to all the true Members of the Church of England in behalf of the King's Ecclesiastical Supremacy, as by Law Established; by our Convocations approved; by our most Eminent Bishops and Clergy-men Stated, and Defended; against both the Popish and Fanatical Opposers of it.* So that
herein

herein four things present themselves
to our Consideration.

First, Of what form this Book is;
namely, that 'tis an Appeal.

Secondly, To whom 'tis offered;
to all true Members of the Church
of *England*.

Thirdly, In what Cause; in the
behalf of the King's Supremacy, as
by Law Established, &c.

Fourthly, Against whom; and they
are both Popish and Fanatick Oppo-
sers. The Title Page being thus ta-
ken into parts, is accordingly in or-
der to be considered.

Now First, Appeals in Law are
forms of action against some Illegal
Process or Sentence of an Inferiour
Judge, which he, supposing himself
to have sustained by the *Municipium*,
appeals to all true Members of this
Church

Church, as more righteous and equal Judges. So that if he alledge any such *Gravamen* or *false Judgment*, and prove it by the exhibition or production of the acts, in all such Instances he ought to carry, otherwise to lose his Cause.

Secondly, The Judges appealed to are all true Members of this Church; on which the *Party appellate* is in suspense; not that he suspects such Judges, but knows not whom the *Appellant* intends. For it appears

by other repetitions *,
 * App. p. 117. that 'tis a Critical and
 lin. 3, 4.

— Distinctive Character
 from false Members in this Doctors design, tho' he has left them as indiscernible for want of a particular Note as the Subject of Infallibility in the Roman Church. For first, the Deprived Clergy claim this as their Peculiar Honour merited by their Cause and Sufferings: And in the next place, among the undeprived
 this

this Drs, *Acumen* has smelt out a Party of perjured railing Incendiary Hypocrites, that are setting up for a third Church of *England* *, namely, those * Ap. p. 3. that are for the *Municipium*, which to his utter grief he finds to be the Body of the Clergy every where, even home to his Doors. Now these are dangerous Judges for the Dr. to trust such an Appeal with. So that in the third place the Mystery is, that those few of his Party that are against all Divine Authorities in the Church, are his secure Judges, his allowed Members of the Church of *England*, and then indeed we and the Church too is undone, if we decline not such Judges. Either therefore let him shew us our very Judges, or be content to carry the Appeal to the Apostles and Fathers of the Church Catholick, and we will readily joyn with him, if need be.

D

Thirdly,

Thirdly, The Cause or Matter in Appeal is here pretended to be the King's Ecclesiastical Supremacy as by Law Established, &c. But how this comes to be the Subject of an Appeal *against* the *Municipium*, and for his former Book, I cannot conceive. 'Tis true, the *Letter to a Convocation-man* after his Assertion of the Divine Right of Synods, endeavours, not to deny the King's Ecclesiastical Supremacy, but under that, to assert a like Legal Liberty to Convocations as to Parliaments, in which latter part upon our Legal Establishment the *Municipium* did not concern it self. But being dissatisfied with the Drs. denial of the Sacred Powers, and with that unlimited System of Regal Authorities ascribed to all Christian Princes on the meer Right of their Magistracy, which are truly collected into nine Aphorisms out of the Drs. Book in the 108 and 109 pages of the *Municipium*, it undertakes the refutation of these his general Maxims

So

So that the Dr. has appealed in a Cause in which we never prosecuted him. So that except it appear upon production of sayings in the *Manicipium*, that the particular Legal Establishment of our King's Ecclesiastical Supremacy is impaired or impeached therein, it ought to be acquitted by our Judges; and this is what we stand to in this Appeal, remonstrating that according to the Title of the former Book (now shifted from all Princes to ours only) he ought to have laid his Appeal in behalf of the Authority of Christian Princes [in general and simply] over their Ecclesiastical Synods; as by himself stated and asserted, &c. that is, against the Divine Right of Synods in the Church, and for those Authorities of all Christian Princes summed up in those nine Aphorisms. This then is a defect in the very Title and Pretence of the Appeal; yet if really in the Body of it he has made out these his Maxims for

all Christian Princes, we will be content that the *Municipium* be condemned as severely as the Doctor desires.

Fourthly, The Adversaries against whom he Appeals, are all Popish and Fanatical Opposers of the Kings Ecclesiastical Supremacy ; (for so the interpunctuation of the *Semicolons* after three Participles, does determine his intention, that herein he may not shuffle) but all along the Appeal you find no Book reflected on but the *Municipium* ; So that this seemed a pretty Artifice, to expose his Adversary under hated and ignominious Characters, tho' he knows him as far from those Imputations, as any Man in *England*. For as he knows the Catholick Ballance against Popery, and the Dissertation *de Presbyteratu* against Franticks, to have been as unanswered, and perhaps as unanswerable by those Parties, as the *Municipium* is by himself, so the
very

very *Municipium* it self asserting the Divine Rights of the Episcopal Hierarchy does herein at once as well oppose the Council of *Trent* as the *Genevian* or *Scotch* Consistories. So that if this part of the Title be sincere ; we are not the Person against whom this Appeal is brought; if it be calumnious, it will affect no Mans Integrity or Reputation but his own. But to gratify the pretty *Caprice* for once, let us be Popish or Fanatick, or any other Exotick or Invidious Name ; what then will the Consequence be ? Namely this, that then we may fairly decline his Judges the True Members of this *Church*, and his Authorities therein, namely, the Articles, Canons and Laws, and the Sayings of her Bishops and Doctors; It being an unequal thing that we should be concluded by prejudicate Parties, especially considering that all the Fanaticks, who deny the Kings Ecclesiastical Supremacy, as much as

Papists; and as equally the Authorities owned in the *Church of England*, are tolerated in the whole Profession of their Fanaticisms against this Supremacy and these Authorities, even by the Supream Civil Powers themselves.

And consequently if the Doctor has not proved his Authorities produced in this Church, to be good upon Prior and more Eminent Authorities, such as are those of Scripture, Common Reason, and the Antient Church Catholick, to which the *Municipium* yields and refers it self, and ought so to do; but has left the Arguments of the *Municipium* with no other answer but this, that they are contrary to the Principles establish'd, and Notions receiv'd in this Church, what does he else but betray his Church to contempt, and confess that the Arguments in the *Municipium* have overthrown the Senses of this Church
by

by Scripture, Reason and Ecclesiastical Antiquity, on which the Dr. was not able to reply one word. To such Absurdities, indeliberate Rages use to betray Men.

From the Titular Form of this Appeal, proceed we now to the inner Part and Body thereof, if perhaps he has therein discharged himself from the Convictions of the *Municipium*, which challenged him of two dangerous Principles; one for disowning the Church to be a Society, or to be endued with any Synodical Authorities till Incorporated into the State; * the other in asserting to all Christian Princes, on the meer Right of their Magistracy all those Authorities in and over Synods, Collected into the Nine Aphorisms. p. 108, 109. of the *Municipium*.

* Auth. of *Christi. Princ.* p. 265, 266, 267.
cit. ap. *Munic. Eccles.* p. 2, 3, 4.

To

To refute the first Principle of the Doctor, the *Municipium* spends its Eight first Chapters upon Reason, Scripture, and Antiquity, and shews him, that by this Principle of his he unwittingly denies the Unity of the Catholick Church, to which (so civil and benign are Men when baffled) the Learned Doctor replies not one word. But here-upon we must challenge him to Answer those Eight Chapters effectually, or we must conclude upon his persistence in this Errour, that he will obstinately renounce one Article of his Creed, and one part of his Baptismal Vow and Liturgy, the 8th, 19th, 20th and 34th Articles of our Religion, to which he has given assent in all his Elevations, the penal Consequences of which, even in this World, he may remember from those objected to the *Municipium* in this pretended Appeal. In the mean, however, here
being

being no defence made against these Eight Chapters, for the Churches Divine Powers, we crave Right and Justice of our Judges, and desire a clear dismissal as to this Article, because this Synodical and Recto-
 ral Authority in the Church, be-
 fore any Civil Incorporation is asserted also in the Testimonies and Authorities, produced in this Appeal, as well as by our 20th and 34th Article of Religion, and 139th Canon.

1 Can. of 1640.
 Appeal. p. 8.
 Dr. Heylin. *ibid.*
 p. 88, 89. Bishop
 Taylor. p. 97. Bi-
 shop Parker,
 p. 98, 100.
 Dr. Falkner 103,
 104. Dr. Barrow,
 p. 160.

So much then, and so little for the first Matter charged on the Dr. by the *Municipium*; come we now to enquire what he has done for his Nine Aphorisms, which we must here transcribe with a little Verbal Correction and Expunction of the word [*Canons*] in the 7th, because he pretends himself wronged in it, tho' he that considers his

E 89th

89th page, referred to in the Margin of the *Municipium*, will find that the word [*Constitutions*] imports the same with [*Canons*] and that every where else he Assigns a far greater Power over Canons, than a bare Suspension of their Execution, which yet he neither disowns, nor dares to disown. *Municip. Eccles.* Chap. 9. § 4. Now the Doctrine of the Dr. chiefly consists in these Aphorisms;

1. *p. 14, 41, 48, 76.* " That under the Dominion of the Christian Magistrate the Church has no inherent Right or Authority to Convene in Synods, but what it derives from the express Concession of the Christian Prince.
2. *p. 84, 85, 136 to 139, 289, 38, 286.* " For that all Synods are but of Counsel to the Prince, and
'em

" *entirely in his hands ;*
 " *and so*

3. " *Not any to be sent*
 " *to the Synod, but such*
 " *as he shall allow ; nor*

4. " *When convened, to*
 " *Sit, Debate, Propose,*
 " *Deliberate, or Con-*
 " *clude, or Decree any*
 " *Matter of Doctrine, or*
 " *Discipline whatsoever ;*

4. p. 79 to 82,
 106, 107, 110,
 112, &c. 132.

5. " *Nor in any Form,*
 " *Method or Manner*
 " *whatsoever, save what*
 " *the Prince admits ;*
 " *and that*

5. p. 44, 53,
 54, 71.

6. " *The Prince may Ra-*
 " *tise, Annihilate, or*
 " *Alter all their Acts,*
 " *and Procedures, or as*
 " *many of them as he*
 " *pleases ; and*

6. p. 81 to 86,
 133.

7. p. 85 to
[89] 125, 126. 7. *Suspend the Execu-*
tion of all or any of
their [Constitutions
and] Sentences ;
8. p. 288. 8. *" The Authority of*
" their Acts being en-
" tirely and only. his ;
" and lastly, that
9. p. 77 to 79 9. *" No Synod hath*
" Right to dissolve it
" self without the Kings
" License.

Now these Aphorisms he pretended to support sometimes, and rarely by interspersed Intimations or hints of Reason, but professedly by Ecclesiastical History.

As to his Reasons, they are all answered in the Ninth Chapter of the *Municipium*, to which he has not given one Syllable in order to Refutation. The

The Ecclesiastical History is reserved for a second Part ; only in preparation thereunto, the Tenth Chapter does examine what Legal Grounds there can be to justify Regal Interpositions in Synodical Concerns, without which they must be taken for injurious Acts of Domination ; which *Chapter* lays down such Principles, as will destroy all Pleas of general Prescription or Justification from those Acts of Princes, which go beyond the Lines of Regal Authority allowed in the *Municipium*, p. 105, 106, 123, 124. where a particular *Contract* with a particular *Prince*, cannot be proved or well presumed. But this is nothing to the general Right of all Princes, for whom the Doctor would prescribe from some Facts recorded in History, which cannot presume a *Contract* for all Princes with all *Churches* universally.

Now to this tenth Chapter; laid as a bar and prejudice to all his Inferences, for the general Omnipotency of all Kings in Spirituals; what replies the Doctor? Truly to be Uniform, and all of a Piece, not one Syllable or Gape; But only shifts and juggles that he has said no more; *'And defended no other Authority in the Prince (meaning our King) than what both he and we, and every other Clergy-man of the Church of England, have solemnly declared our Assent to, and are obliged to our Power to maintain.*

† But this is nothing to the purpose; for the Question is not *what our Kings peculiar Prerogative is, as King of England in Vertue of our Laws, but what is the general Right of all Christian Sovereigns as such;* and hereof we desire a proof, *that we have Assented to all those Aphorisms, and are bound*

† Pref. to App.
p. vj, vij.

39 Can.

First Can.

bound to defend them to our utmost ;
 If this can be done, 'twill be a
 good Argument against us (though
 not with all the World that have
 made no such Subscriptions) not so
 much to assert Truth, as to muz-
 zle our Mouths : But even as to
 our own King, we desire that it
 may be proved accordingly to the
 second Aphorism, *'That all our Sy-*
'nods are but of Counsel to the Prince,
'and entirely in his hands ; and that,
 as in Aphor. 8. *'The Authority of*
'their Acts is entirely and only his;
 and moreover that, *'That we have*
'subscribed an Assent and Promise to
'defend it. This is not yet done,
 and so we yet are in no danger
 from this part of the Appeal. But
 when Men are in the vein of De-
 dications, their Strains are more
 Airy and Rapturous, and in such
 perhaps we may find something
 more apposite and daring. Now
 Dedic. to App. p. 3. he calls his a
 Cause, *'In which not only the Church*
'of

'of England, but the Church Catho-
 'lick, ever since the Civil Powers
 'have become Christian, is concerned
 'together with her. The Authority he
 'pleads for, in behalf of our Kings
 'being no other than what the most
 'famous Bishops and Councils of the
 'Church, have given to their Empe-
 'rors.

Now this will reduce the Dispute
 to a short Issue; Let there be pro-
 duction made of the most famous
 Bishops and Councils of the Ca-
 tholick Church, under Christian
 Princes, asserting these Nine Apho-
 risms of Ecclesiastical Authority, to
 all such Princes on the sole Right of
 their Magistracy, and we will de-
 liver up the *Municipium* to the
 Flames, and the Author to the
 most penitential Humiliations. It is
 not done in the former Book, 'tis
 not attempted in this Appeal;
 nay we have produced his own
 Contradictions in the most impor-
 tant

tant Instances of such Supremacy,
 * against these Infinite and Arbitrary
 Prerogatives, to many ^{Munic: Eccl.}
 of which Remarks he ^{p. 160, 166, 167,}
 has said nothing, and so ^{168, 169, 172,}
 own'd them just, and ^{173, 175, 176}
 to such as he has excepted against,
 we shall shew his exceptions frivo-
 lous and causeless in due Place. And
 so as to all that was proper Mat-
 ter for Appeal in the *Municipium*,
 he has produced nothing to excuse,
 much less to justify his Cause and
 Principles, and so we humbly crave
 and hope for a dismissal in this
 Second Part of the Controversie
 also.

But these Informations of ours,
 in this Cause of Appeal, though so
 very clear and undeniable, will be
 apt to leave the World under an
 amazement, that a Man should Ap-
 peal in a Cause, and make such
 loud Clamours, and yet really not
 offer one pertinent Syllable for him-
 self;

self; 'tis so odd, so strange a prejudice, that the World will hardly believe their own Eyes. What, hath he made no Answer to any one Charge or Imputation at all? This is an hard Saying, who can believe? Who can bear it? Now to satisfy the World, the truth is, he appealed not in the Cause on which he was charged, nor made any defence thereof, but in a Cause of our own Kings English and Peculiar Supremacy, for which the *Municipium* never touched him. As to the merits of the Cause therefore there is none the least defence made; and the whole considered as a formal Appeal, is a perfect and entire Impertinence. But whereas the *Municipium* taxed him, not only for the dangerous falsity of his Principles, but with several personal Inadvertencies, Absurdities, and Contradictions; some of these strokes he has endeavoured to evade, which though Excentrick to the Pretended
or

or Real Matter in Appeal, shall have their due Examination, tho' we confess 'tis a very sickly and unprofitable Labour, that must be employed in winnowing such Trifles.

1. And first of all the *Municipium* is blamed for four times * Taxing his Definition of a Synod as unaccurate, * *Municip. Eeck.* p. 6, 8. 49, 55, whereas he never pretended it for a proper Definition, but plainly enough discovered his Sense of it to be otherwise, tho' yet it had been a fit Companion for our as unaccurate a Definition. *Pref. to App.* p. xx.

To which we Answer, That the Words appeared to us as a Definition, on which an Argument was to be raised, concerning the *Carthage* Conference, for a Regal Supremacy over Synods, else how could it be deemed a Cavil, if it were no Synod, to alledge that it

was none ; and so to reject it as an Impertinence ? To what purpose does he call it a *Meeting of Ecclesiastical Persons on an Ecclesiastical Affair*, or such an *Assembly under Imperial Authority*, as may justify the like *Imperial Authority* over any other of the like kind † if real

† Auth. of
Prin. p. 60.

and proper Synods were of another kind ? What then, are proper Synods

Meetings of Ecclesiastical Persons on an Ecclesiastical Affair, or are they not ? Or are they like or unlike to the *Carthage Conference* ? It cannot be denied that Synods are such Meetings ; and if *Ministers* had been set instead of *Persons*, it had been an accurate Definition enough. Then again if they are *unlike* to the *Carthage Conference*, and that in their *Synodical Form*, the Instance of that Conference was idle and frivolous ; if *like*, as he says, then the Description thereof was intended for definitive. And

'tis

'tis false that the Doctor in the same place disowned it to be a *Synod*, but having laboured to evince it to be so, yet waves urging it too much upon his cavilling Adversaries, and pretends to alledge others which were unquestionably proper Synods. But the main sting in the *Municipium* * the Doctor conceals, namely, that he had * p. 7, 8.
allowed those buddles

of Christians running together in consult under Alien Powers, to be proper *Synods* without *Authority*, from which absurdity this Definition of a Synod, tho' (as it seems) designed to comprehend all such Cabals, could not defend him.

And further yet, to shew his repeated Inadvertency about the *Carthage* Conference, let it be observed, That he says that Synods consist of the same kind of Persons, as the *Carthage* Conference did,

and about the like Affairs; * How then can this be disowned a Synod? But the truth is, tho' they met on the like Affairs,

* Auth. of Prin.
p. 60. Pref. to
App. p. xx.

yet they did not consist of the like *Persons*. For in *Canonical Synods* all the *Members* are to be *Catholick*, but the King and his Arians that carried all by force were not so, and consequently were not *Persons Ecclesiastical*, nor qualified with any Authority Regal or Canonical to Act under pretence of Authority, and so 'twas an industrious Impertinence to alledge it in Plea for Authority. But whereas he recriminates on the Unaccurateness of our Definition, (p. 49.) we challenge him (tho' it be but a small Pique) with all his skill to detect it, and we will readily own it, and thank him for the discovery.

2. He complains of being false quoted in the 100 and 101 pages, and more injuriously, p. 109. of the *Municipium*. *Pref.* to *App.* p. xviii.

To which we Answer, as to the 100 and 101 pages, That 'tis a Calumny, and refers to the said pages; and as to the 109 page, we have above accounted for it in the Introduction again of the Doctors Aphorisms; and the most that can be made of it, is an harmless Inadvertency; (*quod tamen non fatemur*, &c.) and if our Judges please to censure it for such, we are content with the Judgment, without any further Appeal.

3. That page 160. in the Matter of the Council of *Ariminum's* self-dissolution, distinction is not made between his Historical Relation and his own Sense thereof, which does not condemn that Act of the Council. *Pref.* to *App.* p. 19.

To

To which we Answer, that he is rightly represented, for he set a Rule Absolute against the Self-Dissolution of Synods, without any reserves or exceptions; which must then *ipso facto* condemn that Procedure or Conclusion of the Council of *Ariminum* related immediately upon the Rule; and he brings moreover the Emperors disgust at that Dissolution as an affront, a great Affront put upon him, and as a Corroboration to his Rule against that Act of the Council, as also his suggestion, That *Theodosius* and *Valentinian* took more care than to be so tricked or affronted, by the Council of *Ephesus*; † The same

† p. 77.

* p. 78.

‡ p. 79.

right he again asserts to Princes, against Self-Dissolution of Synods; * and then finally concludes, ‡ ‘ *It is therefore the Duty of all Synods, as they are Convened by the Princes Authority, so to tarry till they have*
‘ *the*

the same Authority for their Dissolution. And if all this does not import a sense against the Dissolution of the Council of *Arminium*, we know not what can; We are sure no man could think otherwise from the Precedents and Consequents in this Relation. But since he is now so candid as to suppose that these Fathers had good Reasons for their unlicensed Recess, and so will not pretend at this distance, and under so much ignorance of their Motives, to condemn them, we mightily applaud this forced Ingenuity; (if such a Vertue can be forced) but then withall we must engage him either totally to expunge, or else to qualify his Rule herein with Exceptions for extraordinary Reasons.

3: That p: 166. He is unjustly charged with Contradictions in

Arguments from matter of Fact;
See Pref. to App. p. xxj.

To which we answer negatively, the Distinction of *Regularity* of the more *antient* Age, and the *Irregularity* of the *later* Ages, set in the Preface to the Appeal, not appearing in the Original Book. * p. 295, 296. * For he never used the Method of proving Imperial Acts *Regular*, by comparing them with, or justifying them by any produced Rule or Principle; but he only produces their Acts to assert their Right. Now if such bare Facts *argue* or legally *presume* Right, without any other apparent Rule of Right, why should not such Facts publickly used in Synod by the Clergy, without Royal License, or Rebuke, or any Rule to the contrary then apparent, (as there is none alledged in the pages above noted) be as good Arguments for the Right of

of the Liberty Synodically used without exception? Now since the Doctor set no Rules against that Liberty of Synods in the above noted Pages, then 'tis too late to hale them in now, so as to charge the Remark made upon him herein for injurious. And if a Man compares pag. 295. with pag. 112. he will conclude, that the *Letter to a Convocation - Man* argued fairly and strongly for that Right of Liberty, || ex-
cept we can suppose || Letter to a
Conv. M. p. 58. that the Kings then had no better esteem of their Synods than as a pack of dangerous Villains, whom no Laws could restrain, without Guards and Jailors over them; which every one knows was not the common apprehension against the Clergy in those times.

4. That pag. 167. He is unjustly taxed for an absurd or contradictory Relation of *Constantines* Words. *Pref. to App. pag. xxj, xxij.*

To which we answer, That here the Doctor notoriously forges words of Remark that are not in the *Municipium*, contrary to Sense as well as the Emperors Intention, for 'tis not remarked from those his Words, That *Princes have nothing to do in Affairs of Synods*, for the *Municipium* asserts the contrary of *Constantine* in Right and Fact.) But the Remark is, That this Saying is directly against that universal Right and Authority in Synods Ecclesiastical (Capitulated by us into nine Aphorisms) given by the Doctor to all Princes, &c. and this Remark is immutably true, and incapable of Impeachment.

5. That

5. That pag. 168. the Remark of Contradiction upon the Saying of *Socrates* is injurious; *Pref.* to *App.* p. xxij.

To which we Answer, That as the Words are in the *Municipium*, the charge is evidently True and Just, and we desire our Judges to view the Columns, and to note first, That the Doctor leaves out the word [*usually*] to represent the Sense, that no lesser Councils were called by Emperours, which is no part of the Intention, but only that lesser Councils *commonly* were not, as appears also, *Municip.* p. 132. and this is proved by us, of four Synods out of the Doctor himself, in the place complained of, though the Doctor passes it over in silence to beguile his Reader.

6. That

6. That pag. 169. he is injuriously charged with Contradiction, in asserting the Right of *Godly* Princes in Convening Synods, and yet asserting the Churches Right herein under *ill* ones. *Pref. to App.* p. xxij. xxij.

To which we Answer, That the Contradiction in the Columns, appears undeniable, there being no distinction in his words between *good* and *evil* Princes, that *provide for*, or *neglect* the Church, and for confirmation hereof, we refer also to the following Remark, in which lies the most convictive force and evidence of the Charge.

To conclude therefore all possible pretended matter of Appeal; as to his Principles against the Churches Divine Rights of Synods, and for his unlimited Domination
of

of all Princes in Ecclesiasticals, he has not offered one word in Answer to all or any one Argument or Saying in the *Municipium*; and of 15 Instances of Absurdity or Contradiction, he has excepted but at six, confessing thereby all the rest to be just upon his own Concession; and what sorry Defences he has made on these six poor Heads of Complaint, we suppose our Judges must have needs seen, had we offered them no Informations; but now we suppose none is so blind, either through passion or ignorance, but must needs see the poor languishing Doctor utterly enervated, and destitute of all Pretences for his Appeal.

But be it so, the Doctor is resolved however not to dye unrevenged; but if he had no Cause of *Appeal*, he will pretend one of *Recrimination*; that the Author of the *Municipium* has condemned our
Eccle.

Ecclesiastical Constitution under the Kings Supremacy, and called it Oppressive, asserted Divine Rights against it, and reflected against K. Hen. VIII. his Convocation and Parliaments, declared the Church to be out of the Kings Protection, that so he may pronounce him out of the Bosom of the Church, and advance a Croisade for an holy Rebellion against him; by which this Impious Author is Perjured against his Oath of Supremacy, hath renounced the 37th Article, broken the first, second, twelveth, and other Canons of the Church, and so incurred deprivation by his Bishop, without present Revocation of his Errors, and is excommunicate *ipso facto*, not to be forgiven by an inferior Hand, but that of the Arch-Bishop, upon Repentance and publick Revocation of his Wicked and Anabaptistical Errors; And to aggravate his Crime, he has done this against the Sense
of

of the greatest Bishops and Doctors of the Church, from whom the Doctor has brought many Citations.

This is indeed a Thunder as loud as brute, and we require a proof as exact as what is judicial and convictive, and we are sure he can never produce it. We can be Surety before God and Man, that the Author of the *Municipium* believes the 37th. Article, has violated no Canon, nor Oath against the Ecclesiastical Supremacy owned and to be owned by the Church, according to allowed Rules of Interpretation; which do not require from us a Sanctification of all our Acts in *Hen. VIII's* Reign, upon which I have reflected no more than what undeniable History warrants; in which there are *παύσαι μὲν ἐσθλα μέγιστα, πολλὰ δὲ λογεία*.

H

And

And for the Good he did, we owe him no thanks, for that he did it for self or evil Ends, he Persecuted at once both Papists and Protestants, and at last he and his Vicar General died Papists, and to that Church we leave them. We owe under God all true Gratitude to the Memory of *Q. Elizabeth* for our Reformation; and against her Injunctions, Orders, and Articles we have committed no offence.

We declaim against that Domination which the Doctor arrogates to all Princes, whether claimed by Devolution or Occupation; for as to Contract none such can be pretended for all Princes, though there can with us for our Kings Prerogatives; but on this we have never paid any Censure, even where occasion presented it self, but suspended our Opinion, leaving the Judgement of our Original as well
as

as subsequent Contracts herein to God the Judge of all; p. 136, 155. 176, nay, we make the Kings Ratification and Concurrence necessary to give a Civil Force to Acts Ecclesiastical, p. 166, 175, and Subject all Persons, Ecclesiastical as well as Temporal, to the Civil Sword for obstinate and evil Doing, without any Exemption on the account of Priesthood; pag. 105, 120, 125. without any seditious Resistance of the Supreme Legislative Powers, or their Ministers under Legal Persecutions, for that such Powers are unaccountable to any Domestick Tribunal, and uncontrollable by the Subject, pag. 5. 100 101, 106, &c.

And as to our particular Loyalty to his present Majesty, beside our Honour assigned him in our Preface, we suppose the Dialogue of *Solomon and Abiathar*, and the *Debate on the Justice and Piety of the Present Constitution* may signa-

lize it as much at least, as any of the Doctors false Services, for which he has obtained a good part of his past aims, and thinks his present attainments as pledges of greater, while we have done our Duty to the King without intuition of reward, which we know we had once obstructed by our Duty toward God, and have now done so again in opposing this Doctor.

And therefore being not at all concerned at his sanguinary Rages, we do still renew to him the sincere Conclusions of our first Letter, and do not despair, after some Years Cooling and Meditation, but that he will also be of our Mind.

As to what he has alledged out of the Worthies of our Church, there are very few Passages that are contrary to our Sentiments; and most are founded upon Ecclesiastical History, and therefore we shall

shall prorogue their Examination to the second Part, as they shall properly offer themselves at their Respective Instances ; and then by Gods blessing , if not the Doctor , yet the disinterested part of the World, may receive satisfaction.

To conclude the whole ; the Sum of our Sense herein is, That the Church alone and by her self, where the Christian Prince will not interpose, (as that he may lawfully refuse) has a Divine Right of Synodical Authority in Canons and Sentences purely Ecclesiastical, and this the Doctor is forced to grant ; but if the King and the Church Contract for Establishing Ecclesiastical or Canon-Laws of Civil as well as Spiritual Authority , there the Supremacy, as to Civils, is in the King on the Right of his Sovereignty alone ; but what particular Prerogatives shall accrue to Kings herein in restriction to the Churches
Liber-

Liberties which she had in dis-
 junction from the State, will de-
 pend on the Terms of the several
 Local Contracts and Coalitions; and
 therefore may be divers in diverse
 places, and mutable in all; and
 ought not to be asserted of univer-
 sal and unchangeable Right on the
 account of meer Sovereignty sim-
 ply as such; and if such Contracts
 and Conditions violate no Divine
 Fundamentals, they are innocent,
 and perhaps also may be expedient;
 but if the Divine Tenures be broken
 down by them, no Man can ab-
 solve them; and therefore when
 Laws of dubious or suspicious Ac-
 ceptation (as to Form of Words)
 are strained, or perverted from the
 first fair Prospects and Intentions of
 their Legislators to ill and oppres-
 sive Purposes, as we cannot but
 abominate such perversions, so we
 cannot magnifie the Laws, that under
 such deficiencies may be wrested
 from the opposing to the doing
 evil;

evil; in which case, tho' there is
no reason to desire a total abolition,
yet Religion will force a Man to
wish for a temper and secure Cor-
rection.

And thus you have the intimate
Sense and Soul herein, of the meanest
of Gods Ministers, in the Service of
Gods Church; who (kind, but un-
known, Sir) is also particularly

Kilmington,
March 5.
1697

Your obliged Servant,

S. Hill.

F I N I S.